

Message Text

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PAGE 01 STATE 104568

65

ORIGIN L-02

INFO OCT-01 IO-10 ISO-00 AF-06 ARA-06 EA-06 EUR-12 NEA-09

EB-07 AID-05 OIC-02 CIAE-00 DODE-00 PM-03 H-02 INR-07

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 /108 R

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TO USMISSION USUN NEW YORK PRIORITY

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E.O. 11652: N/A

TAGS: EGEN, ECOSOC, UN

SUBJECT- 58TH ECOSOC: AGENDA ITEM 4- RULES OF PROCEDURE

REFS: A. USUN 1450; B. USUN 1451; C. USUN 1474;

D. SURENA-SANDERS TELCON

1. MESSAGE ON NLMS TO FOLLOW SEPTTEL.

2. REGARDING ORIGINAL CHINESE PROPOSAL (FOR DEPT COMMENTS ON LATER CHINESE PROPOSAL SEE PARA 5 THIS MESSAGE)FOR PARA IN ECOSOC RES ADOPTING RULES OF PROCEDURE, DEPT FINDS TEXT REPORTED REFTEL B UNACCEPTABLE. MAJOR PROBLEM WITH CHINESE PROPOSAL IS THAT ON ITS FACE ITS LANGUAGE IS THOROUGHLY UNCLEAR IN EFFECT. IT IS CLEAR THAT CHINESE WISH NGOS AND SAS WHICH HAVE AFFILIATIONS WITH OR AFFILIATES IN ROC TO BE CENSURED IN SOME WAY, BUT LANGUAGE OF THEIR PROPOSAL DOES NOT DEMONSTRATE HOW SUCH CENSURE WOULD BE ACCOMPLISHED. ALTERNATIVELY CHINESE PROPOSAL IS UNHEALTHY PRECEDENT OF QUALIFYING RULES OF PROCEDURE BY VAGUE REFERENCE TO (GA) RESOLUTION. FOR THESE REASONS,
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PAGE 02 STATE 104568

USDEL SHOULD SEEK TO DISCOURAGE BY THOSE MEANS AVAILABLE

THE ADOPTION OF CHINESE PROPOSAL.

3. DEPT UNDERSTANDS DANISH CHAIRMAN INFORMAL WORKING GROUP WITH ASSISTANCE UN LEGAL OFFICE IS WORKING ON COMPROMISE LANGUAGE OF CHINESE PROPOSAL, AND SEEKS U.S. VIEW BEFORE ADVANCING IT TO CHINESE. COMPROMISE TEXT AS REPORTED REFTEL C IS "IN THE APPLICATION OF RULES 74 AND 80, THE COUNCIL SHOULD ALSO TAKE FULL ACCOUNT OF GA RES 2758 (XXVI)". WHILE DEPT CONSIDERS THIS TEXT AN IMPROVEMENT, DEPT WOULD PREFER NO TEXT ON SUBJECT BE ADOPTED. THEREFORE, USDEL SHOULD CONTINUE EFFORTS TO RESIST ADOPTION OF TEXT. IF HOWEVER IT IS USDEL'S JUDGMENT THAT CHINESE WILL PERSIST AND SOME LANGUAGE WILL BE ADOPTED, USDEL MAY SUGGEST TO DANE THAT WORDS "TAKE FULL ACCOUNT OF" BE REPLACED BY LESS EMPHATIC PHRASES LIKE "BEAR IN MIND", "TAKE NOTE OF".

4. IF EFFORTS TO MODIFY CHINESE LANGUAGE ARE NOT SUCCESSFUL AND CHINESE TEXT IS ADOPTED USDEL SHOULD STATE THAT IT DOES NOT BELIEVE RULES OF PROCEDURE SHOULD BE MODIFIED IN THIS MANNER BY A RESOLUTION OF THE COUNCIL. USDEL SHOULD ALSO NOTE GA RES 2758 DOES NOT DIRECT NGOS TO TAKE ANY ACTION. IF, AS IS NOT EXPECTED, A VOTE IS CALLED FOR RE CHINESE TEXT USDEL SHOULD VOTE AGAINST.

5. LATEST TEXT CHINESE PROPOSAL, REPORTED REF D, ALSO UNACCEPTABLE. TEXT, "IN THE APPLICATION OF RULES 74 AND 80, THE COUNCIL URGES ALL SAS AND NGOS TO IMPLEMENT GA RES 2758", IS STRUCTURALLY DEFICIENT; FIRST PHRASE IS NOT CONSISTENT WITH LATTER PART OF PROPOSAL. IN ADDITION GA RES 2758 DOES NOT RPT NOT CALL UPON NGOS TO TAKE ANY ACTION. USDEL MAY INDICATE DEPT DISFAVOR WITH TEXT AND PREFERENCE FOR NO TEXT ON SUBJECT. IF TEXT IS ADOPTED BY COUNCIL, USDEL SHOULD MAKE APPROPRIATE STATEMENT FOR RECORD, NOTING GA RES 2758 DOES NOT DIRECT NGOS TO TAKE ANY ACTION. IN EVENT A DEL ASKS FOR VOTE ON TEXT, USDEL SHOULD VOTE AGAINST.

6. USDEL, AS A FALLBACK, MAY SUGGEST FOLLOWING REVISION OF LATEST CHINESE PROPOSAL, "THE COUNCIL URGES ALL SAS LIMITED OFFICIAL USE

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PAGE 03 STATE 104568

AND NGOS TO (BEAR IN MIND) (TAKE NOTE OF) (TAKE ACCOUNT OF) GA RES 2758." USDEL SHOULD NOT ADVANCE THIS TEXT, BUT MAY SEEK FRIENDLY DEL (E.G. DANISH CHAIRMAN) TO DO SO. IF THIS REVISION IS ADOPTED, USDEL SHOULD MAKE APPROPRIATE STATEMENT, NOTING GA RES 2758 DOES NOT DIRECT NGOS TO TAKE ANY ACTION. IF REVISION IS ADOPTED BY A VOTE, USDEL SHOULD ABSTAIN WITH A STATEMENT. KISSINGER

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